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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/625,088	07/22/2003	Daniel Dunn		5944

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NIKE MIKES
20711 BEAR CREEK RD
LOS GATOS, CA 95033

EXAMINER

PHAM, TAMMY T

ART UNIT	PAPER NUMBER
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2675

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/625,088

Applicant(s)

DUNN ET AL.

Examiner

Tammy Pham

Art Unit

2675

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☒ Claim(s) 21-42 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 22-42 must be renumbered 21-41 because the claims skip from claim 20 to 22.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-42 are rejected under 35 U.S.C. 103(a) as being anticipated by Yates et al. (US Patent No: 6,750,803 B2) in view of Burleson et al. (US Patent No: 6,717,528 B1).

As for claim 1, Yates teaches of a multi-electronic display remote control apparatus (14), comprising: A transmitter (28) to send wired or wireless code to two or more receivers (28) in column 3, lines 65-67. The pad is shown to be able to generate, hence transmit signals.

Yates goes on to teach of a signal receiver (28) having the capability of receiving (28) wired or wireless signals (30) from the signal transmitter (28) and the ability to route received signals (30) to a plurality of electronic displays in column 4, lines 26-30. It is clear that the section teaches that the apparatus is able to receive signals.

Yates goes on to teach of a plurality of electronic displays (22,24,26) with the means of receiving and interpreting code in column 4, lines 65-67 and in Fig. 1. The section and figure teaches that the displays are able to communicate with the apparatus.

What Yates does not explicitly teach is a method of utilizing both wire and wireless technology.

Burleson teaches that the signals can be delivered by wired or wireless means in column 4, lines 38-40.

It would have been obvious for one with ordinary skill in the art at the time the invention was made to include the teachings of wired and wireless technology as taught by Burleson with the remote control apparatus of Yates in order to conveniently control multiple appliances (see Burleson: column 1, lines 30-32).

As for claims 2 –3 and 15-16, Yates teaches that the multi-electronic-display remote-control of claim 1 wherein the said transmitter comprises an infra-red transmitter {claims 2,15} and that the multi-electronic-display remote-control of claim 1 wherein the said transmitter comprises a radio frequency transmitter {claims 3,16} in column 4, lines 55-58.

As for claims 4 and 17, Yates teaches of a multi-electronic-display remote-control of claim 1 as mentioned above in dealing with claim 1. Burleson teaches that wherein the said transmitter comprises a wired signal-transmission apparatus in column 4, lines 38-30.

As for claims 5 and 18, Yates teaches of the multi-electronic-display remote-control of claim 1 wherein the said transmitter comprises code capable of transmitting instructions to the receiver for indicating electronic display selection and instructional commands as mentioned above and in dealing with claim 1.

As for claim 6, Yates teaches of the multi-electronic-display remote-control of claim 1. Burleson teaches that the said signal receiver having a means of wired or wireless signal input in column 4, lines 28-30.

As for claim 7, Yates teaches that the multi-electronic-display remote-control of claim 1 wherein the said signal receiver having a means of decoding received signals above in dealing with claim 1. Where the apparatus is said to teach of a receiver that receive various signals, therefore within this method of receiving signals, must contain a decoding method to at least distinguish one signal from another if not to recognize the signal or signals.

As for claims 8 and 9, Yates teaches that the multi-electronic-display remote-control of claim 1 wherein the said signal receiver having a means of decoding command code transmitted by said signal transmitter {claim 8} and that the multi-electronic-display remote-control of claim 1 wherein the said signal receiver having a means of transmitting decoded commands from the said signal transmitter {claim 9} in dealing with claim 1. As discussed above, the apparatus includes a receiver and a transmitter that is able to transmit coded and decode various signals.

As for claim 10, Burleson teaches that the multi-electronic-display remote-control of claim 1 wherein the said signal receiver having a plurality of wired or wireless signal outputs in column 4, lines 28-30.

As for claims 11 and 12, Yates teaches that the multi-electronic-display remote-control of claim 1 wherein the said signal receiver having a means of transmitting command code received from said signal transmitter to one or more of the signal outputs {claim 11} and that the multi-electronic-display remote-control of claim 1 wherein the said electronic display having the means to receive the wireless or wired electronic code transmitted the signal receiver {claim 12} as discussed above in dealing with claim 1.

As for claim 13, Burleson teaches that the multi-electronic-display remote-control of claim 1 wherein the said electronic display having the means to receive the wireless or wired electronic code transmitted by the wired or wireless transmitter in column 4, lines 28-30.

As for claims 14 and 19, Yates teaches of a multi-electronic display remote control apparatus in column 3, lines 65-67.

But Yates does not teach any wire or wireless methodology or of unique identity codes.

Burleson teaches that the apparatus is able to send wired or wireless code to two or more receivers in column 4, lines 28-30. Burleson goes on to teach of an electronic display with the means of mechanically or electronically being assigned a unique identity code for receiving and interpreting said user setting and commands transmitted by said transmitter in column 4, lines 1-5. The section shows that each signal is intended for a particular appliance (or display), hence each signal must have a unique identity code that distinguish one signal for one appliance from another.

It would have been obvious for one with ordinary skill in the art at the time the invention was made to include the teachings of wired and wireless technology as taught by Burleson with the remote control apparatus of Yates in order to conveniently control multiple appliances (see Burleson: column 1, lines 30-32).

As for claim 20, Burleson teaches that the multi-electronic-display remote-control of claim 14 wherein the said electronic display can selectively execute or not execute code being received from the transmitter based on the identification ID being sent and the ID assigned to the said electronic display in column 4, lines 1-5.

As for claim 22, Burleson teaches that the multi-electronic-display remote-control of claim 14 wherein the said electronic incorporates an apparatus which incorporates a mechanical means including, but not limited to, a series of switches, rotary switch, or other mechanical means for setting a unique identity to the said electronic display in column 4, lines 53-61.

As for claims 23-26, Burleson teaches that the multi-electronic-display remote-control of claim 14 wherein the said electronic display incorporates electronic means for assigning a permanent unique signal receiver ID {claim 23} and that the multi-electronic-display remote-control of claim 14 wherein the said electronic display incorporates electronic means for assigning and changing the unique signal receiver ID {claim 24} and that the multi-electronic-display remote-control of claim 14 wherein the said electronic display incorporates electronic means for mechanically assigning and changing a unique signal receiver ID {claim 25} and that the multi-electronic-display remote-control of claim 14 wherein the said unique ID to the electronic display can be changed by the user or permanently set by the factory at the time of manufacture {claim 26} in column 4, lines 15-25. The section shows that the apparatus can

correspond to more than one appliances or displays and that each appliances or display are uniquely configured accordingly.

As for claims 27-28, Yates teaches of a multi-electronic-display remote-control of claim 14 wherein the said electronic display apparatus incorporated into to a multi-screen system as taught above in dealing with claim 1 and Burleson teaches that the apparatus in able to receive command signals or code from a wired or wireless transmitter in column 4, lines 28-30.

As for claim 29, Yates teaches of a multi-electronic-display remote-control of claim 14 wherein the said electronic display apparatus an apparatus to be incorporated into or connected to an electronic display has the means to receive command signals or code as taught above in dealing with claim 1. Burleson teaches of using a wired or wireless transmitter and translate the received code into new code to be sent to the electronic display in discussed above in dealing with claim 14.

As for claim 30, Yates teaches of an electronic display remote control receiver comprising. Burleson teaches of an input port for receiving electronic code from a wired or wireless transmitting device. A CPU having the means of decoding information received by the input port and sending said decoded information to an electronic display. Electronic memory for operational and user defined functions. The means for generating a unique identity code or setting to the fore-mentioned. An electronic output port for connecting to an electronic display in column 6, lines 15-25.

As for claims 31-33, Burleson teaches of an electronic display having the means of selectively processing user input commands based on a unique ID set within said electronic display {claim 31} and of a means for electronically assigning a unique electronic identity code

to an electronic display wherein said code would allow the said remote control user to selectively control said electronic display or display {claim 32} and of a means for mechanically assigning a unique electronic identity code to an electronic display wherein said unique identity code would allow the user to selectively send commands for making user adjustments to said electronic display {claim 33} in column 4, lines 1-5.

As for claim 34, Burleson teaches that the remote control of a plurality of electronic display screens as in claim 1 where in the display characteristics possible to adjust include but are not limited to brightness, contrast, on/off and other screen commands in column 5, lines 35-45.

As for claim 35, Burleson teaches that the remote control of a plurality of electronic display screens as in claim 1 wherein the display characteristics possible to adjust can be made to a selected group or groups in the array or to the entire array in column 4, lines 1-5.

As for claim 36, Burleson teaches that the remote control of a plurality of electronic display screens as in claim 1 wherein the display characteristics possible to adjust can be made simultaneously or in a desired sequence in column 5, lines 45-50.

As for claim 37, Burleson teaches that the electronic display having the means of being assigned by mechanical or electronic means a unique electronic identity code for selectively processing user command codes being generated by a wired or wireless transmission apparatus in column 4, lines 28-30.

As for claims 38-40, Burleson teaches that the electronic display of claim 37 wherein the said mechanical means for setting a unique code could include a series of switches {claim 38} and that the electronic display of claim 37 wherein the said mechanical means for setting a

unique code could include a rotary switch {claim 39} and that the electronic display of claim 37 wherein the said electronic means for setting a unique code includes a electronic buttons {claim 40} in column 4, lines 55-60.

As for claim 41, Burleson teaches that the electronic display of claim 37 wherein the said electronic means for setting a unique code includes electronic code integrated into the electronic display in column 4, lines 1-5.

As for claim 42, Yates teaches that the electronic display of claim 37 wherein the said electronic means includes a series of commands entered through a user interface such as those commonly found on the front of an LCD display in column 7, lines 30-35.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammy Pham whose telephone number is (571) 272-7773. The examiner can normally be reached on 8:00-5:30 (Mon-Fri).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sumati Lefkowitz can be reached on (571) 272-3638. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2675

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tammy Pham
September 27, 2005

AMR A. AWAD
PRIMARY EXAMINER
